

**ELEVENTH DAY**

(February 3, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 66, An Act authorizing the Texas Library and Historical Commission to adopt a state plan for public library services and to cooperate with the federal government in implementing the state plan; amending Article 5436, Revised Civil Statutes of Texas, 1925, as amended, and declaring an emergency.

S. C. R. No. 13, Commending the Trustees of the Moody Foundation of Galveston, Texas.

S. C. R. No. 16, Memorializing the death of Mr. Walter Tynan, a former member of the Texas Senate from Bexar County.

S. C. R. No. 15, Designating the week of 1 March through 5 March 1965, as the official Public Schools Week in Texas for 1965.

S. C. R. No. 14, Commending and congratulating the Denison Public Library for gaining a National Award for excellence.

S. C. R. No. 20, Designating the University of Texas M. D. Anderson Hospital as a state agency to participate in the Southwest Region of the national cancer program.

S. C. R. No. 21, Commending Sam Houston's Texas.

H. B. No. 271, Making supplemental appropriations.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Reports of Standing Committees**

Senator Calhoun submitted the following report:

Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Oil and Gas, to which was referred S. B. No. 2, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CALHOUN, Chairman.

Senator Herring submitted the following reports:

Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 142, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C.

R. No. 18, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 22, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senators Creighton, Crump and Word:

S. B. No. 162, A bill to be entitled "An Act amending Subsection A of Section 1 of H. B. 87, Chapter 361, Acts of the 58th Legislature, Regular Session 1963 (compiled as subsection A in Section 1 of Article 2815-4, Vernon's Texas Civil Statutes), to provide for Incentive Aid Payments in certain situations involving interval consolidations and/or resulting in independent school districts that are budget excess or budget balance; and declaring an emergency."

To the Committee on Education.

By Senator Herring:

S. B. No. 163, A bill to be entitled "An Act amending Senate Bill No. 36, Page 544, General Laws of the State of Texas, Forty-sixth Legislature, Regular Session, 1939, as amended by House Bill No. 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, Forty-seventh Legislature, Regular Session, 1941, as amended, which is codified as Article 695c, Vernon's Texas Civil Statutes, by adding a new Section to be known as Section 6-A, designating the State Department of Public Welfare as the State Agency to cooperate with the Federal Government in the administration of the provisions of Title V of the 'Economic Opportunity Act of 1964' and of the provisions of any such other applicable titles of said

Act, or any such other titles as may be added thereto; authorizing the State Department of Public Welfare to cooperate with the Department of Health, Education, and Welfare or any other Federal Agency authorized to administer such Act, and to cooperate with any existing State or local agencies or departments in carrying out the purposes of this Act; authorizing the State Department of Public Welfare to set up and administer, in accordance with reasonable rules and regulations promulgated by the Department, any experimental, pilot, or demonstration projects authorized in the Act; authorizing the Department to take all necessary steps for the proper administration of the program; authorizing the State Department of Public Welfare to accept and expend any Federal moneys allocated to the said Department for any projects or programs established to carry out the purposes of this Act and for administrative expenses and/or any other expenses incident to the administration of said projects or programs; amending Section 2 of Article XX, Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, by adding a new Subsection to be known as Subsection (9); providing a repealing clause, a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 164, A bill to be entitled "An Act amending Article 20.12 of the Insurance Code, Acts 1951, 52nd Legislature, Chapter 491, as amended by Acts 1959, 56th Legislature, page 331, Chapter 163, Section 2, relating to the right of a patient, who is a member of a Group Hospital Service Corporation, to obtain the services of any licensed doctor of medicine, doctor of Osteopathy or doctor of Podiatry or Chiropraxy; prohibiting discrimination; providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senator Reagan:

S. B. No. 165, A bill to be entitled "An Act relating to developing outdoor recreation resources and facilities and authorizing participation in federal development programs; and declaring an emergency."

To the Committee on Game and Fish.

By Senators Spears, Crump, Herring, Krueger, Cole, Bates, Richter, Kazen, Patman, Reagan and Schwartz:

S. B. No. 166, A bill to be entitled "An Act to recognize HemisFair 1968; to provide State support and participation therein; to provide a permanent structure therein for post-fair use by the State of Texas; appropriating \$7,500,000 for these purposes; and declaring an emergency."

To the Committee on Finance.

By Senator Spears:

S. B. No. 167, A bill to be entitled "An Act prohibiting the purchase, attempted purchase, consumption, possession or transportation of alcoholic beverages by minors, with certain exceptions; amending Subsection (14), Section 17, Article I, Texas Liquor Control Act, as amended; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Spears:

S. B. No. 168, A bill to be entitled "An Act relating to the prosecution of minors who violate traffic laws; amending Chapter 204, Acts of the 48th Legislature, 1943, as amended; repealing Chapter 302, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Spears:

S. B. No. 169, A bill to be entitled "An Act relating to the conditions and procedures under which a child may be prosecuted as if he were an adult; amending Section 13, Chapter 204, Acts of the 48th Legislature, 1943, and adding a new Section to that chapter; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 170, A bill to be entitled "An Act relating to the compensation of the district attorney of the 19th, 54th and 74th Judicial Districts; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 171, A bill to be entitled "An Act authorizing the Commissioners Court of McLennan County to pay additional compensation to the judges of the 19th, 54th and 74th Judicial Districts for services rendered on the

County Juvenile Board; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 172, A bill to be entitled "An Act to grant and convey to the City of Waco the bed, banks and islands in the Brazos River and that part of the Bosque River downstream from the Waco Dam which is within the city limits of the City of Waco; fixing the consideration for the grant; reserving all of the oil, gas and sulphur therein to the state; providing an effective date; providing a severability clause; repealing laws in conflict; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Hardeman and Blanchard:

S. B. No. 173, A bill to be entitled "An Act to abolish the Boards of Regents of North Texas State University, Texas Woman's University, Pan American College, Texas College of Arts and Industries, Midwestern University and Lamar State College of Technology, and the Board of Directors of Texas Southern University as of September 1, 1965; to abolish the Board of Regents of the State Teachers Colleges as of September 1, 1966; to provide for the governance of the institutions and museums under these Boards by the Boards of Regents of The University of Texas System and the University of Houston, and the Board of Directors of the Texas A & M University and Texas Technological College; to transfer authority and responsibility of the former boards to the boards to which the institutions and museums are transferred; to provide for governance and operation of these institutions and museums in accordance with law and in keeping with objectives established by the Legislature for them; to create central administrative agencies for the Texas Technological College System and the University of Houston System; repealing all laws in conflict to the extent of such conflict; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Hall:

S. B. No. 174, A bill to be entitled "An Act authorizing the Board of

Regents of East Texas State College to accept from the City of Commerce, Texas, a gift of land owned by that City; and declaring an emergency."

To the Committee on State Affairs.

#### Senate Resolution 66

Senator Bates offered the following resolution:

Whereas, On February 5, 1965, the Honorable Praxedis Balboa, Governor of the State of Tamaulipas, Mexico, will complete two (2) years of service to the people of his State and Nation; and

Whereas, On that date, as is provided by the Constitution of the United States of Mexico, Governor Balboa will deliver his second annual report to the Legislature and the people of the State of Tamaulipas; and

Whereas, His administration has been marked by praiseworthy accomplishments which include close cooperation with the officials and the people of the State of Texas; now, therefore, be it

Resolved, That the Senate of the State of Texas congratulates the Honorable Praxedis Balboa upon the second anniversary of his six-year term and convey its wishes for a successful continuation; and, be it further

Resolved, That a copy of this Resolution be sent to the Governor of the State of Tamaulipas.

BATES  
KAZEN

Signed—Lieutenant Governor Preston Smith; Aikin, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Bates and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

#### Senate Bill 142 Ordered Not Printed

On motion of Senator Herring and

by unanimous consent S. B. No. 142 was ordered not printed.

#### Motion to Place Senate Bill 11 on Second Reading

Senator Patman moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 11 be taken up for consideration at this time.

Senator Blanchard raised the Point of Order that a motion to suspend the rules is not debatable.

The President sustained the Point of Order.

The motion was lost by the following vote:

#### Yeas—24

Aikin	Kazen
Bates	Kennard
Calhoun	Patman
Cole	Reagan
Colson	Richter
Creighton	Rogers
Crump	Schwartz
Dies	Snelson
Hall	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

#### Nays—6

Hardeman	Moore
Harrington	Parkhouse
Krueger	Ratliff

#### Absent

Blanchard

Senator Hardeman then raised the Point of Order that in order to suspend Article III, Section 5 of the Constitution, 25 votes are needed, not four-fifths (4/5) of the Members present and therefore the motion to suspend the Constitution regarding Senate Bill No. 11 failed, having received only 24 votes (four-fifths (4/5) of the Members present.)

The President sustained the Point of Order.

#### Resolutions Signed

The President signed, in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 7, In memory of Dr. Virgil T. Blossom.

H. C. R. No. 13, Congratulating the Denison Public Library and residents of Denison for their signal achievement in library work.

H. C. R. No. 14, Providing for a Joint Session of the House and Senate on February 2, 1965, and inviting the Honorable John Connally.

H. C. R. No. 21, In memory of Judge Elwood Fouts.

H. C. R. No. 17, Congratulating the Rockwall High School football team, its coaches, managers, and supporting student body and faculty for winning the 1963 Class AA State Football Championship.

H. C. R. No. 26, Relative to the establishment of Lyndon B. Johnson State Park.

H. C. R. No. 22, In memory of Cecil Clifford Rotsch.

H. C. R. No. 11, In memory of General Douglas MacArthur.

#### Senate Bill 89 on Second Reading

Senator Moore moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 89 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 89, A bill to be entitled "An Act authorizing the Board of Directors of Texas A & M University to convey to the United States land on or conveniently located in reference to, the campus of Texas A & M University and land comprising a part of the land on which is located the Texas Agricultural Experiment Station at Lubbock, for the United States, at its expense, to construct thereon and to use said land in connection therewith, laboratories and research facilities so as to provide broadened opportunities for cooperative research and instructional programs between the United States Department of Agriculture and Texas A & M University; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 89 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Cole
Bates	Colson
Blanchard	Creighton
Calhoun	Crump

Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers
Herring	Schwartz
Hightower	Snelson
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moore	Word
Parkhouse	

**Leave of Absence**

Senator Schwartz was granted leave of absence for the remainder of the day on account of important business on motion of Senator Dies.

**Senate Bill 30 on Second Reading**

Senator Hardeman moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 30 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 30, A bill to be entitled "An Act authorizing the transfer of properties of county junior college districts after a State-supported senior college has been created within said districts, to such senior college; providing that such 'junior college districts shall not further maintain a junior college; authorizing the levy of taxes annually to pay off outstanding indebtedness of the junior

college districts and to pay necessary administrative costs; authorizing the issuance of tax-supported bonds for the purpose of paying off revenue bonds of such districts; authorizing temporary loans for paying off current operating expenses; validating all proceedings of the Board of Trustees of such districts; repealing all laws or parts of laws in conflict; containing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 30 on Third Reading**

Senator Hardeman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Hall
Bates	Hardeman
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Herring
Colson	Hightower
Creighton	Kazen
Crump	Kennard
Dies	Krueger

Moore	Rogers
Parkhouse	Snelson
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word

Absent—Excused

Schwartz

**Senate Bill 142 on Second Reading**

Senator Herring moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 142 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 142, A bill to be entitled "An Act amending House Bill 450, Acts of the 58th Legislature, Regular Session, 1963, Chapter 72, codified as Article 1970-324 of Vernon's Civil Statutes; amending Senate Bill 350, Acts of the 58th Legislature, Regular Session 1963, Chapter 127, codified as Article 1970-324a of Vernon's Civil Statutes; providing for exchange of benches of the County Court at Law No. 1 and the County Court at Law No. 2 of Travis County, Texas; conforming the terms of office of Judges of the County Courts at Law of Travis County, Texas, to the provisions of Section 65 of Article XVI of the Constitution of Texas; prescribing the jurisdiction of the County Courts

at Law of Travis County, and the Judges thereof; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 142 on Third Reading**

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

**Senate Bill 71 on Second Reading**

Senator Creighton moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 71 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 71, A bill to be entitled "An Act conveying certain lands in Palo Pinto County to the Mineral Wells Independent School District; requiring that the Mineral Wells Independent School District shall pay to the State of Texas cash consideration for this conveyance; prescribing the consideration; making other provisions relative thereto; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend S. B. No. 71 of the 59th Legislature by striking out Section 2 and inserting in lieu thereof the following:

"Sec. 2. In consideration for the conveyance by the State of Texas, as provided in Section 1, the Mineral Wells Independent School District shall on or before January 1, 1966, pay to the State of Texas for the use and benefit of the National Guard Armory Board

the sum of Sixty-five Thousand Dollars (\$65,000.00) plus a value appreciation charge at the rate of four per cent (4%) of Sixty-five Thousand Dollars (\$65,000.00) per annum from January 1, 1965 until paid. The conveyance provided in Section 1 of this Act shall not become effective unless and until Mineral Wells Independent School District pays to the State of Texas the full consideration prescribed in this Section."

The Committee Amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 71 on Third Reading**

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 71 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 118 on Second Reading**

Senator Cole moved that Senate Rules 116 and 13 and Section 5 of



Article III of the State Constitution be suspended and that S. B. No. 118 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 118, A bill to be entitled "An Act providing for changes in the Firemen's Relief and Retirement Fund in certain cities in the state; amending Sections 6B, 7B, 7C, 12A, and 23A-1 and Subsection (d), Section 10E, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following Committee Amendment to the bill:

Amend S. B. 118 by striking quoted subsection (d) beginning on line 6 of page 6 and inserting the following in lieu thereof:

(d) No more than fifty per cent (50%) of the fund shall be invested at any given time in corporate stocks, nor shall more than four per cent (4%) of the fund be invested in corporate securities issued by any one corporation, nor shall more than five per cent (5%) of the voting stock of any one corporation be owned.

The Committee Amendment was read and was adopted.

On motion of Senator Cole and by

unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 118 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 118 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Schwartz

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 19, Congratulating the Texas Partners of the Alliance and the Peru Partners of the Alliance.

S. C. R. No. 25, Designating Judge Benjamin C. Franklin as the person for whom Franklin County is named.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Concurrent Resolution 11 on  
Second Reading**

On motion of Senator Dies and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

S. C. R. No. 11, Authorizing Board of Agricultural and Mechanical University to erect and equip certain buildings.

The resolution was read and was adopted.

**Record of Votes**

Senators Parkhouse and Kennard asked to be recorded as voting "Nay" on the adoption of the above resolution.

**Senate Bill 48 on Second Reading**

Senator Watson moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 48 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Ratliff
Herring	Reagan
Hightower	Richter
Kazen	Rogers
Kennard	Snelson
Krueger	Spears
Moore	Strong
Parkhouse	Watson
Patman	Word

**Absent—Excused**

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 48, A bill to be entitled "An Act relating to the appointment, compensation and duties of a shorthand reporter for the 146th Judicial District of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 48 on Third Reading**

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

## Absent—Excused

Schwartz

## Senate Bill 54 on Second Reading

Senator Herring moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 54 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

## Absent—Excused

Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 54, A bill to be entitled "An Act providing for changes in the Firemen's Relief and Retirement Funds in certain cities in the state; amending Section 10D and adding Sections 6C, 7D, and 12B to Chapter 125, Acts of the 45th Legislature,

Regular Session, 1937, as amended; providing for severability; providing for pending litigation; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 54 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

## Absent—Excused

Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent—Excused**

Schwartz

**House Bill on First Reading**

The following bill received from the House was read the first time and referred to the committee indicated:

H. B. No. 271, to Committee on Finance.

**Co-Author of Senate Bill 32**

On motion of Senator Hardeman and by unanimous consent Senator Hightower will be shown as co-author of S. B. No. 32.

**Notice of Executive Session**

Senator Krueger gave notice that he would on Thursday, February 4, 1965 move for an Executive Session.

**Reports of Standing Committees**

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,  
February 3, 1965

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 170, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 3, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 171, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

**Welcome Resolutions**

S. R. No. 67—By Senator Hall: Extending welcome to Mrs. Florence Adamson of Blue Island, Illinois, and Mrs. Margie Watkins.

S. R. No. 68—By Senator Harrington: Extending welcome to Sister Mary Brian of San Antonio.

S. R. No. 69—By Senator Harrington: Extending welcome to Mrs. Martha McClellan Davis of Beaumont.

S. R. No. 70—By Senator Reagan: Extending welcome to The Civics Class of Incarnate Word Academy of Corpus Christi and sponsor.

**Adjournment**

On motion of Senator Hardeman the Senate at 11:50 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**TWELFTH DAY**

(February 4, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Blanchard	Krueger
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

**Absent—Excused**

Bates	Schwartz
Cole	Spears

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Spears was granted leave of absence for today on account of illness on motion of Senator Herring.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Snelson.